REMARKS

Claims 1, 2, 4, 5, 7, 8 and 11-32 are pending. Claims 1 and 11 have been amended. No claims have been added or deleted. Therefore, claims 1, 2, 4, 5, 7, 8 and 11-32 are presented for examination.

Claims 1, 2, 4, 5, 7, 8 and 11-32 remain rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,581,109 to Fields, et al. (hereinafter "Fields").

Fields is designed to provide color calibration by having a client machine run an applet to establish a set of calibration parameters. (Fields, Abstract). The calibration parameters are then stored at the server, e.g., as a user profile, upon initial connection to the system. (Fields, Abstract). Whenever a request is later made for any web page hosted by the server, the controller retrieves the appropriate user profile, and applies the stored calibration parameters to color adjust the image as the page including that image is served. (Fields, column 4, line 64 to column 5, line 2; Fig. 3, steps 54-66; and 2: 23-30.) These calibration parameters are obtained <u>from the user profile stored on the server</u>.

The Examiner, in the Final Action states:

> The set of calibration parameters are stored at the server. When a request is made for a web page hosted by the server, the server identifies the user and applies the calibration parameters to color adjust the images as the page including that image is served [abstract]. Therefore, the user *does* make a request, i.e. a web page and from the calibration parameters within the server, the server applies the calibration of the page requested to the user.

Applicants absolutely agree with the Examiner's summary. However, Applicant's respectfully submit that the system of Fields does not <u>receive a cookie including characterization data</u>. Applicants concur with Examiner's assessment that the server in Fields receives a request from a user. However, in response to the request, in Fields,

the controller 33 <u>retrieves the characterization data from the user profile</u>, rather than receiving the characterization data via a cookie, as recited in claim 1.

Claim 1, as amended, recites in part "in response to a request from a user system comprising a user color display device for one or more images,<u> receiving a cookie at an image server, the cookie including characterization data for the user color display device.</u>" (emphasis added). Thus, in accordance with claim 1, the <u>server receives characterization data for the user color display device</u>, in response to a user request.

In contrast, in Fields, in response to a user request, the <u>server retrieves the characterization data from the user profile on the server.</u> (Fields, column 4, line 64 to column 5, line 2). Thus, the calibration parameters in Fields are not being received at the server in response to the request for images.

Thus, Fields fails to teach or suggest each and every element of claim 1. Therefore, claim 1 and its dependent claims 2, 4, 5, 7, 8 and 11-14 are patentable in view of Fields and should be allowed.

Claim 15 recites in part "inquiring of the source of the request to determine whether user color display device characterization data is available to the server, the inquiring being in response to receiving, at a server, the request to display one or more images on a user color display device."

As noted above, in Fields, in response to receiving a request from client, the server retrieves the user profile on the server which provides the characterization data. Fields does not teach or suggest making an inquiry of the source of the request for such characterization data. Furthermore, since in Fields the characterization data is stored in

the user profile on the server (Fields, Abstract), it would not be logical to send an inquiry to the source of the request to determine whether characterization data is available.

Therefore, Fields fails to disclose or suggest each and every element of claim 15. Therefore, claim 15 and its dependent claims 16-32 are patentable in view of Fields.

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Judith A. Szepesi
Reg. No. 39,393

Customer No. 08791
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300